IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7797 OF 2007

Vasant s/o Nivruti Hake & Ors. ....Petitioners
V/s
nagnath s/o Shankar Khandekar & Anr. ....Respondents.

Mr.Mohan B. Jadhav, Adv. For the petitioners.

Adv. For the respondent.

CORAM: A.P.DESHPANDE, J.
22/10/07

PC:

Rejection of an application for amendment of plaint moved by the present petitioners has given rise to the filing of present writ petition. Impugned order reveals that both the parties have adduced their evidence and thereafter arguments of the advocates are also concluded. The suit is fixed for pronouncement of judgment on 24.10.07. In this view of the matter, at this stage, I decline to entertain the writ petition. Though writ petition is summarily dismissed, I leave all questions raised in this petition open to be agitated by the petitioners before the First Appellate Court if and in case suit is dismissed and the petitioners are required to file regular civil appeal in the District Court. Writ petition is thus summarily dismissed.

22.10.07